

SNELL & WILMER L.L.P.
Alan L. Sullivan (3152)
Todd M. Shaughnessy (6651)
Amy F. Sorenson (8947)
15 West South Temple, Suite 1200
Salt Lake City, Utah 84101-1004
Telephone: (801) 257-1900
Facsimile: (801) 257-1800

CRAVATH, SWAINE & MOORE LLP
Evan R. Chesler (admitted pro hac vice)
David R. Marriott (7572)
Worldwide Plaza
825 Eighth Avenue
New York, New York 10019
Telephone: (212) 474-1000
Facsimile: (212) 474-3700

*Attorneys for Defendant/Counterclaim-Plaintiff
International Business Machines Corporation*

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.,

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant/Counterclaim-Plaintiff.

**MOTION FOR EXTENSION OF
DEADLINES IN MAY 29, 2007 ORDER**

Civil No. 2:03CV-0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

Defendant and Counterclaim-Plaintiff International Business Machines Corporation (“IBM”), through counsel, hereby moves the Court for an extension of the pre-trial deadlines set forth in the Court’s May 29, 2007 Order as follows:

IBM seeks an approximately 30-day extension of each of the deadlines set forth in the Court’s May 29, 2007 Order, and submits herewith a proposed form of order confirming those revised deadlines as follows:

Rule 26(a)(3) Disclosures shall be due on August 13, 2007;

Motions in Limine regarding expert testimony shall be due on August 27, 2007;

Objections and counter-designations to Rule 26(a)(3) Disclosures shall be due on September 4, 2007;

All remaining Motions in Limine shall be due on September 10, 2007;

The deadline for exchanging jury instructions shall be September 24, 2007;

The Final Pretrial Order shall be due 45 days before trial;

The Special Attorney Conference and Settlement Conference shall be held 60 days before trial; and

The Court will send to the parties a Trial Order setting further deadlines for the case approximately six weeks prior to trial.

SCO has raised a concern that moving these deadlines by 30 days would put these deadlines in conflict with the pretrial and trial dates in SCO v. Novell, currently set for trial beginning September 17, 2007. IBM has no objection to moving these dates to a time commencing reasonably promptly after the conclusion of the currently-scheduled trial in SCO v. Novell, but has been unable to confirm such dates with counsel for SCO. IBM will therefore stipulate, if necessary, to a further extension of the foregoing deadlines.

DATED this 13th day of July, 2007.

SNELL & WILMER L.L.P.

/s/ Todd M. Shaughnessy

Alan L. Sullivan

Todd M. Shaughnessy

Amy F. Sorenson

CRAVATH, SWAINE & MOORE LLP

Evan R. Chesler

David R. Marriott

*Attorneys for Defendant/Counterclaim-Plaintiff
International Business Machines Corporation*

Of Counsel:

INTERNATIONAL BUSINESS MACHINES CORPORATION

Alec S. Berman

1133 Westchester Avenue

White Plains, New York 10604

(914) 642-3000

*Attorneys for Defendant/Counterclaim-Plaintiff International
Business Machines Corporation*

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of July, 2007, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court and delivered by CM/ECF system to the following:

Brent O. Hatch
Mark F. James
HATCH, JAMES & DODGE, P.C.
10 West Broadway, Suite 400
Salt Lake City, Utah 84101

Robert Silver
Edward Normand
BOIES, SCHILLER & FLEXNER LLP
333 Main Street
Armonk, New York 10504

Stephen N. Zack
Mark J. Heise
BOIES, SCHILLER & FLEXNER LLP
100 Southeast Second Street, Suite 2800
Miami, Florida 33131

/s/ Todd M. Shaughnessy